

In the United States District Court For the

DISTRICT OF MONTANA

HELENA DIVISION

DEWAYNE BEARCHILD

PLAINTIFF

- VS -

KRISTY COBBAN; et  
AL.,

DEFENDANTS.

CASE #: 6:14-CV-00012-DLC-RKS

"MOTION FOR LEAVE  
"SUPPLEMENTAL COMPLAINT."

JURY TRIAL DEMANDED."

- (1.) Comes now the PLAINTIFF, DEWAYNE BEARCHILD
- (2.) And Respectfully submits his "SUPPLEMENTAL
- (3.) COMPLAINT," to this most HONORABLE COURT. AS
- (4.) IN PLAINTIFF'S ORIGINAL COMPLAINT CASE #:
- (5.) 6:14-CV-00012-DLC-RKS, DEFENDANT, DAN JOHNSON
- (6.) is sued in his OFFICIAL CAPACITY,
- (7.) AFTER PLAINTIFF, DEWAYNE BEARCHILD'S COMPLAINT
- (8.) WAS FILED ON OR ABOUT: 03-03-2014, DEFENDANT, -

- (9.) - DAN JOHNSON ON OR ABOUT: 07-07-14 LABELED  
(10.) ME AN SNITCH FOR FILING MY ORIGINAL COMPLAINT  
(11.) UPON HIM AND OTHER CO-DEFENDANTS, AND HAD  
(12.) ME ASSAULTED BY TWO-OTHER INMATES WHO THREW  
(13.) MARBLE SIZE ROCKS / AT ME AND HIT ME IN MY  
(14.) HEAD WITH ONE (MARBLE SIZE ROCK), AND MY  
(15.) BACK WITH THE OTHER (MARBLE SIZE ROCK).  
(16.) AT THE TIME I GOT HIT WITH TWO MARBLE  
(17.) SIZE ROCKS THE ONE INMATE WHO HIT ME  
(18.) SAID AT A DISTANCE THAT %O DAN JOHNSON, SAYS  
(19.) YOU ARE A SNITCH FOR FILING A COURT ACTION  
(20.) ON HIM AND SGT. PASHA, AND HAD US THROW ROCKS  
(21.) AT YOU AND HIT YOU FOR PAY BACK.  
(22.) WHEN I GOT BACK TO CLOSE UNIT ONE,  
(23.) DEFENDANT, %O DAN JOHNSON  
(24.) THREATENED TO WRITE ME UP FOR GOING (IN AND OUT)

(25.) (OF the) Lower (B) block door, where I AM celled,  
(26.) AS ALThOUGH he opened the Door, he SAId he  
(27.) NEVER gave me permission to enter OR LEAVE,  
(28.) AND it WAS FURTHER STATED by DEFENDANT, C/O  
(29.) DAN JOHNSON, NOW you KNOW what CAN  
(30.) happen to you when you snitch to the  
(31.) COURTS ON me AND Sgt. PASHA, pretty good  
(32.) SHOTS, yes they were. AND he LAUGHED AT me.  
(33.) ON OR ABOUT: 05-28-14 PLAINTIFF, WAS DENIED  
(34.) ACCESS TO BREAKFAST because, C/O DAN JOHNSON  
(35.) REFUSED to open my CELLDOR, AS he WAS the  
(36.) CLOSE unit ONE CONTROL CAGE OFFICER ON: 05-28-14.  
(37.) I REQUESTED A SACK LUNCH MEAL, MY CELLIE  
(38.) got A SACK LUNCH MEAL AT that date AND  
(39.) time but I didn't. DEFENDANT'S, C/O DAN JOHNSON  
(40.) AND CLOSE unit one unit MANAGER, SAM JOVANOVICH -

(41.) - said I would not be given ANY Food.

(42.) % BRUNO A FLOOR OFFICER WAS THREATENING

(43.) to write me up AND LOCK me up because,

(44.) I asked him to open our CELLDOR, so me

(45.) AND my cellie could go eat BREAKFAST

(46.) ON: 05-28-14. At that date AND time: 05-28-14

(47.) DEFENDANT, % DAN JOHNSON stated to

(48.) BEARCHILD, that DAM Litigators don't need

(49.) to get Food. % BRUNO CALLED the Highside

(50.) kitchen to get my cellie A SACK LUNCH MEAL,

(51.) but REFUSED to get one sent to me so

(52.) I could eat. I had NO Food, AND WAS

(53.) WEAK, sick, AND SHAKEY because I recieved

(54.) NO Food, AND I got STOMACH CRAMPS

(55.) AS WELL. ON FIRST SHIFT IN CLOSE UNIT ONE

(56.) WHERE, BEARCHILD is housed Sgt. MACDONALD is -

(57.) - the SARGENT in charge OF the unit AND  
(58.) SHIFT, Sgt. MACDONALD KNEW FIRST HAND  
(59.) ABOUT the EVENTS described herein, AND  
(60.) IGNORED AND FAILED to do ANYTHING to STOP,  
(61.) PREVENT AND CORRECT SAME, SHOW "DELIBERATE IN-  
(62.) - DIFFERENCE" TOWARD SAID UNCONSTITUTIONAL  
(63.) ACTS, PRACTICES, AND EVENTS described  
(64.) herein. Sgt. MACDONALD FAILED to PROPERLY  
(65.) TRAIN AND SUPERVISE those Listed herein,  
(66.) WHO he WAS IN CHARGE OF ON his SHIFT THAT ARE  
(67.) NAMED herein, him being A CLOSE FRIEND  
(68.) OF ALL DEFENDANTS, Listed in CASE#: 6:14 -  
(69.) CV-00012-DLC-RKS. EVEN A (BARRIER AND BURDEN)  
(70.) HAS BEEN PLACED UPON PLAINTIFF, BEARCHILD by  
(71.) AGENTS OF DEFENDANTS HEREIN HINDERING,  
(72.) DELAYING, HOLDING UP, his LEGAL MAIL -

(73.) - to the courts. (see exhibits A, B, C.).

(74.) Denise Deyott, MONTANA STATE PRISON MAIL -

(75.) - ROOM SUPERVISOR, Sgt. MACDONALD, AND CLOSE

(76.) UNIT ONE UNIT MANAGER, SAM JOVANOVICH, ALL

(77.) KNOWING ABOUT THE U.S. MAIL BARRIER AND BURDEN

(78.) PLACED UPON PLAINTIFF, BEARCHILD, BUT

(79.) HAS IGNORED AND REFUSED TO STOP SAME, OR

(80.) DO ANYTHING ABOUT SAME. [Emphasis Added].

(81.) Today: 07-12-14 IN CLOSE UNIT ONE LOWER "B" block

(82.) AT APPROX; 1:00 p.m. Sgt. RON MACDONALD YELLED

(83.) OUT LOUDLY TO LOCK-DOWN. AT THAT POINT

(84.) PLAINTIFF, BEARCHILD HURRIED OVER TO SHUT

(85.) OUR CELL DOOR. WHEN Sgt. RON MACDONALD

(86.) SAID IN A VERY HOSTILE / THREATENING / ANGRY

(87.) LOUD VOICE "KEEP IT UP, BEARCHILD," REFERRING

(88.) TO THIS PAPERWORK NOW BEING FILED IN THIS -

(89.) - Most Honorable Court. This is Retaliation for me <sup>filing</sup> ~~not filing~~ my case.

(90.) LEGAL CONCLUSION/RELIEF Requested

(91.) PLAINTIFF, BEARCHILD'S MOTION FOR LEAVE

(92.) TO FILE A SUPPLEMENTAL COMPLAINT SHOULD BE

(93.) GRANTED. Sgt. RON MACDONALD; C/O: BRUNO; AND

(94.) DENISE DEYOTT; TO BE ADDED IN AS DEFENDANT'S

(95.) TOO IN CASE #: 6:14-CV-00012-DLC-RKS, FOR THEIR

(96.) FAILURE TO ACT TO STOP THE UNCONSTITUTIONAL ACTS

(97.) AND PRACTICES DESCRIBED HEREIN, THAT THEY KNOWINGLY

(98.) AND PURPOSELY COMMITTED, AND/OR FAILED TO ACT

(99.) TO CORRECT SAME OR STOP SAME. THAT ANY

(100.) NEW CLAIMS PRESENTED IN THIS SUPPLEMENTAL

(101.) COMPLAINT BECOME PART OF PLAINTIFF, BEARCHILD'S

(102.) ORIGINAL COMPLAINT. CASE #: 6:14-CV-00012-DLC-RKS.

(103.) THAT THIS COURT GRANT SUCH OTHER AND

(104.) FURTHER RELIEF AS THIS COURT MAY DEEM -

(105.) - Appropriate AND Just in this matter,

(106.) Monday 14, 2014,

RespectFully Submitted  
by Mr. Dewayne Bearchild  
Mr. DEWAYNE BEARCHILD # 2041116  
PLAINTIFF / MOVANT / PROSE